

REMARKS

Claims 1-18 are pending in the application. Claims 1, 9, 17, and 18 have been amended, leaving claims 1-18 for consideration upon entry of the present Amendment. Support for the amendments can be found in Figure 4 and the supporting description of that figure in the specification. Applicant respectfully requests reconsideration in view of the Amendment and Remarks set forth herein.

Claims 1, 3-6, 9, 11-14, and 17-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tornqvist (U.S. 5,133,036) in view of Ishii et al. (U.S. 5,321,536) ("Ishii"), Nishimura et al. (U.S. 4,297,004) ("Nishimura"), and Ukai et al. (U.S. 5,223,961) ("Ukai"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

The Examiner has cited Tornqvist as teaching the first electrode, a luminous multilayered structure, and a second electrode. However, Tornqvist merely describes a laminate structure in which the luminous multilayered structure is located between the first electrode and the second electrode. The Examiner also asserts that the claimed conductive material is equivalent to the narrow stripe (14) of the second electrode structure.

Claim 1, 3-6, 9, 11-14, and 17-18 require the following elements: "said light emission elements and at least one of said thin film transistor are formed on or above a same substrate" and "said thin film transistor includes a first conductive material that is formed between said substrate and said first electrode, said first conductive material is formed below said second electrode." None of the references teach or suggest these elements.

Tornqvist teaches that the line layers 14, 14' with low resistance are formed above the ITO layer 13. This is not the claimed position of between the substrate and the first electrode and in fact, is opposite of the claimed position. The claim also requires that the thin film transistor include a conductive material. Tornqvist and none of the other references teach these elements. In fact, all of Ishii, Nishimura, and Ukai teach that the electrode having an individual pattern and the electrode in common for a plurality of pixels are respectively formed on the substrates which are opposed to each other via the liquid crystal, and it is

therefore impossible, due to the structure of the liquid crystal display, that the electrodes and line layers thus formed in different substrates form a multi-layer structure.

In particular, Ishii describes a structure of an LCD in which the pixel electrodes 6 are controllably connected to and separated from the signal line 7 by means of the photosensitive section. In Ishii, however, the counter electrode 9 "which is formed in common for a plurality of pixels" is formed on the substrate 2, which is opposed, via the liquid crystal layer, to the substrate 1 on which the pixel electrodes 6 are formed, as clearly shown in Figure 1 and the other drawings. Accordingly, it is physically impossible that any of the source line 7, the photosensitive section 8, and the lower electrode 4 as well as the pixel electrodes 6, which are formed on the substrate 1, comes in contact with the counter electrode 9 to form a multi-layer structure within the space in which liquid crystal of the LCD is sealed.

Nishimura describes that in an LCD, the electrode 12 having a shape corresponding to the fixed display pattern and the lead electrode, which is integral with the electrode 12 overlap the metal electrode 34 at the end portions. As clearly shown in Figures 3 and 4 or the like, however, this electrode 12 is formed in an independent pattern and connected to the dedicated line 16, and is therefore contrary to the electrode "which is formed in common for a plurality of pixels" such as the second electrode of the present invention. Here, it is the electrode 20 that is formed in common for plurality of electrodes 12. This electrode 20 formed on the substrate 18 is opposed, via the liquid crystal 26, to the substrate 10 on which the electrodes 12 are formed. As in the case of Ishii, it is impossible that this electrode 20 comes in contact with the metal electrode 34 formed below the electrode 12 to form a multi-layer structure with the space in which the liquid crystal of the LCD is sealed.

In addition, Ukai discloses an LCD including a TFT having a structure as shown in Figure 3. In Ukai, however, as clearly shown in Figure 3, the TFT 16, the insulating layer 24, which is indicated by the Examiner, and the like are formed on the substrate 11 on which the pixel electrode 15 is formed in an individual pattern for each pixel, whereas the common electrode 17 "which is formed in common for a plurality of pixels" is formed on the substrate 12 which is opposed, via the liquid crystal, to the substrate 11. Accordingly, as in the cases with Ishii and Nishimura described above, in Ukai, it is clear that it is physically impossible for the common electrode 17 "which is formed in common for each pixel" to contact the metal layer or the like which is formed further below the pixel electrode 15 to form a multi-layer structure within the space in which the liquid crystal of the LCD is sealed.

As described above, Tornqvist has no description concerning the feature that the second electrode (corresponding to the second electrode of the present invention) located

above the EL element forms a multi-layer structure with any conductive material disposed "on the lower-layer side" of this second electrode, namely on the substrate side. Tornqvist, in the first place, has a structure in which the EL element is formed immediately above the substrate and therefore does not recognize the feature of providing conductive layer between the EL element and the substrate.

In addition, in Ishii, Nishimura, and Ukai, the electrode having an individual pattern and the electrode in common for a plurality of pixels are respectively formed on the substrates which are opposed to each other via the liquid crystal, and it is therefore impossible, due to the structure of the liquid crystal display, that the electrodes and line layers thus formed in different substrates form a multi-layer structure. Thus, even if Tornqvist is combined with Ishii, Nishimura, and Ukai, none of the references teach or suggest the feature of connecting the second electrode which is an electrode disposed above the EL element with a conductive material disposed below the first electrode which is located below the second electrode.

In addition, Applicant continues to maintain all of the previous arguments made in the last response.

Accordingly, for all of the foregoing reasons, Applicant respectfully requests that the rejections be withdrawn.

Claims 2, 7-8, 10, and 15-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tornqvist in view of Ishii, Nishimura, Ukai, and Ishiguro et al. (U.S. 6,146,928) ("Ishiguro"). Each of the claims includes the element discussed above. Thus, for the reasons discussed above, Tornqvist, Ishii, Nishimura, and Ukai do not teach all of the claimed elements. Moreover, Ishiguro does not remedy the deficiency. In fact, in Ishiguro, it is impossible that the common electrode which is formed on the substrate on the opposite side of the pixel electrode, in common for a plurality of pixels, forms a multi-layer structure with a conductive material formed on the substrate on the pixel electrode side. Thus, Applicant respectfully requests that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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